

REMARKS

Claim 1 has been amended to further clarify the invention. Support for the amendment to claim 1 can be found, for example, in the specification, at page 10, lines 2-3, and in Fig. 3B. Claims 1-14 are currently pending. No new matter is added by this amendment.

Turning to the Office Action, the following rejections are asserted: claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,892,152 ("the van Vuuren '152 patent"); claims 2-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the van Vuuren '152 patent, in view of U.S. Patent 6,244,354 ("the van Vuuren '354 patent"); and claim 14 stands rejected under § 103(a) as being unpatentable over the van Vuuren '152 patent in view of U.S. Patent 5,571,252 ("Worrell"). Each of these rejections is addressed below.

Rejection Under 35 U.S.C. § 102

Claim 1 stands rejected as being anticipated by the van Vuuren '152 patent. Applicant respectfully submits that the amended claims overcome the rejection based on the cited reference. As amended, the claims include the limitation that the sensor records the length of cut away sod, i.e., sod that has already been cut free from the field by the first knife (21). Further, the claims include the limitation that the conveyer

track includes a means for detecting the presence or absence of the sod.

The van Vuuren '152 patent does not disclose these limitations. In fact, the roller (10) of the van Vuuren '152 patent is located before the bottom blade (8), in the direction of travel, and necessarily therefore acts upon the sod before it is cut by the bottom blade. See the van Vuuren '152 patent, Fig. 1. Further, because the roller (10) is away from the conveyer (12), the device cannot include Applicant's means for detecting the presence or absence of the sod. As a result, the reference does not anticipate the amended claims.

Rejections Under 35 U.S.C. § 103

Claims 2-13 stand rejected as being unpatentable over the van Vuuren '152 patent, in view of the van Vuuren '354 patent, and claim 14 stands rejected as being unpatentable over the van Vuuren '152 patent, in view of Worrell. Applicant respectfully submits that the amended claims overcome the rejections based on the cited references.

The van Vuuren '152 patent does not disclose or suggest a device wherein the length of the sod is measured after it is cut free from the field by a first knife, nor does the reference disclose means for detecting the presence or absence of the sod. In fact, the construction of the van Vuuren '152 device, wherein the roller (10) is located before the cut sod, precludes the

device from including Applicant's means for detecting the presence or absence of the sod.

Neither the van Vuuren '354 patent nor Worrell, when combined with the van Vuuren '152 patent, bring the van Vuuren '152 patent any closer to Applicant's claimed invention. The references do not disclose or suggest Applicant's claimed device. As a result, the references do not render obvious the amended claims.

Applicant respectfully submits that in view of the above amendments and remarks, claims 1-14 are now in condition for allowance and solicit action to that end. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact Applicant's undersigned representative.

Respectfully submitted,

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